

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
KENNETH DOCKERY,

Plaintiff,

-against-

RAUL E. RIVERA and ALFA TRANSPORTATION CORP.,

Defendants.  
-----X

**PETITION FOR REMOVAL**

*Docket No. 1:21-cv-06900*

Defendants ALFA Transportation Corp. and Raul E. Rivera, by SMITH MAZURE, P.C.  
in the above-entitled proceeding, desiring to exercise their right to removal pursuant to 28 U.S.C.  
§§1441 and 1446, as amended by the Judicial Improvements and Access to Justice Acts §1016  
(HR 4807), state as follows:

1. This suit was commenced by plaintiff against the defendants in the Supreme Court of the State of New York, County of Bronx. Plaintiffs seek damages for personal injuries in the amount exceeding jurisdictional limits of lower the courts exclusive of costs and disbursements. Plaintiffs' causes of action sound in negligence, strict products liability, and breach of warranty. Copies of plaintiffs' Summons and Complaint is annexed as **Exhibit "A"**.

2. This is a suit of civil nature which this United States District Court has original jurisdiction by reason of the diversity of citizenship of the parties pursuant to 28 U.S.C. § 1332.

3. Plaintiffs' Summons indicates that plaintiff is a citizen of the State of New York residing in New York County. See **Exhibit "A"**.

4. Defendant, ALFA TRANSPORTATION CORP. is a corporation duly organized and existing under the laws of the State of Florida.

5. Based upon the foregoing, it appears that there is complete diversity between the plaintiffs and the defendants.

6. The amount in dispute in this action exceeds the sum of \$50,000.00 exclusive of interests and costs.

7. The time to file this Petition for removal of this action to this Court has not elapsed and Defendants' time to answer the summons and complaint has not expired.

**WHEREFORE**, Defendants ALFA Transportation Corp. and Raul E. Rivera, request that this case be removed to the United States District Court, District of New York, together with such other and further relief as to this Court may seem just, proper and equitable.

Dated: New York, New York  
August 16, 2021

*Yours, etc.,*

A handwritten signature in dark ink, appearing to read "Daniel J. Smith". The signature is fluid and cursive, with the first name "Daniel" being more prominent than the last name "Smith".

SMITH MAZURE, P.C.  
Attorneys for Defendants  
ALFA Transportation Corp. and Raul E.  
Rivera  
111 John Street  
New York, NY 10038  
(212) 964-7400  
KIG-00125

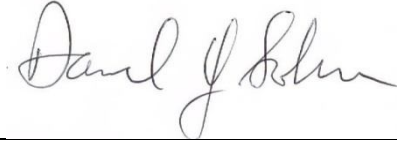
TO:

The Paris Law Group, P.C.  
60 East 42nd Street, Suite 4600  
New York, NY 10165  
(212) 485-9842/(212) 954-5331 (F)  
Attorney for Plaintiff  
Kenneth Dockery

CAT/aml  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Petition for Removal was mailed by first class mail, postage prepaid, this August 16, 2021, to all counsel of record as indicated on the service list below.

A handwritten signature in black ink, appearing to read "Daniel Y. Sohn", is written over a horizontal line.

DANIEL Y. SOHNEN  
For the Firm

**SERVICE LIST**

The Paris Law Group, P.C.  
60 East 42nd Street, Suite 4600  
New York, NY 10165  
(212) 485-9842/(212) 954-5331 (F)  
Attorney for Plaintiff  
Kenneth Dockery

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**PETITION FOR REMOVAL**

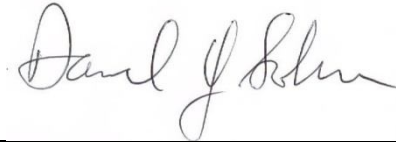
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**SMITH MAZURE, P.C.**  
Attorneys for Defendants  
ALFA Transportation Corp. and Raul E. Rivera  
111 John Street  
New York, NY 10038  
(212) 964-7400  
KIG-00125

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**CERTIFICATION PURSUANT TO F.R.Civ.P. 11**

DANIEL Y. SOHNEN hereby certifies that, pursuant to F.R.Civ.P. 11, the foregoing is not frivolous nor frivolously presented.



Dated: New York, New York  
August 16, 2021

\_\_\_\_\_  
DANIEL Y. SOHNEN